

OFFICIAL COPY

Fresno, California

September 15, 1998

The City Council of the City of Fresno met in closed session at the hour of 8:37 a.m. in Room 2125, City Hall, on the day above written.

Present:	Garry Bredefeld	Councilmember
	Mike Briggs	Vice President
	Henry Perea	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Councilmember
	Ken Steitz	Councilmember
	Chris Mathys	President

Jeff Reid, City Manager
Hilda Cantu Montoy, City Attorney
Yolanda Salazar, Assistant City Clerk

(8:30 A.M.) COUNCIL REGULAR CLOSED SESSION:)

(A) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -)
GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (a) - CASE NAMES:)
1. COUNTY V. CITY V. COUNTY (PARKING FINES CASE), SUP. CT.)
#502123-3, CA #5-5872)
2. CITY V. COUNTY V. CITY (AB 1290), SUP. CT. #545900; CA#16-7213)
3. COUNTY V. CITY V. COUNTY (CSA 48), SUP. CT. #560663-7; CA#16-7283)
4. COUNTY V. CITY (ROEDING PARK II), SUP. CT. #571200-5; CA#16-7328)
5. COUNTY V. CITY (ROEDING PARK III), SUP. CT. #573647-5; CA#4-7341)
6. CASILLAS, JESUS AND MARIA V. CITY OF FRESNO, ET AL

(B) CONFERENCE WITH LEGAL COUNSEL - THREATENED LITIGATION -)
GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (b) - SIGNIFICANT)
EXPOSURE TO LITIGATION: LINDA BOUDREAU V. CITY OF FRESNO)

The Council met in closed session to consider the above issues, and convened in regular open session at 9:13 a.m.

Capt. Jerry Dyer, Police Department, Southeast Command, gave the invocation.

Councilmember Steitz led the Pledge of Allegiance to the Flag.

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AWARD PRESENTATION TO STUDENTS FROM STEINBECK ELEMENTARY)
SCHOOL - PRESIDENT MATHYS)

Presented.

PRESENTATION BY THE DEPARTMENT OF PUBLIC UTILITIES OF A \$350.00)
CHECK TO TREE FRESNO)

Presented.

PROCLAMATION OF "UNITED STATES NAVAL SEA CADET CORPS MONTH")

Read and presented.

PROCLAMATION OF "NATIONAL EMBLEM CLUB WEEK" (ADD-ON))

Read and presented.

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The City Council adjourned at 9:34 a.m. and convened in joint closed session with the Redevelopment Agency.

JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY:

(A) CONFERENCE WITH REAL PROPERTY NEGOTIATOR - GOVERNMENT)
CODE SECTION 54956.8)
PROPERTY: BOUNDED BY TULARE, BROADWAY/"H" AND INYO STREETS)
AND THE FULTON-BROADWAY ALLEY (PROPOSED MULTIPURPOSE)
BASEBALL STADIUM SITE))
NEGOTIATING PARTIES: CITY OF FRESNO, REDEVELOPMENT AGENCY,)
COUNTY OF FRESNO, FRESNO DIAMOND GROUP, FRESNO GRIZZLIES)
UNDER NEGOTIATION: TERMS OF SALE OF LAND, SECURITY INTERESTS)
AND DEED OF TRUST)

(B) CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO)
INITIATE LITIGATION - GOVERNMENT CODE SECTION 54956.9,)
SUBDIVISION (c) - CASE NAME: CITY OF FRESNO, ET AL. V. ALL)
PERSONS INTERESTED (VALIDATION ACTION REGARDING PROPOSED)
GRANT AND FINANCING FOR MULTIPURPOSE BASEBALL STADIUM))

The City Council and Redevelopment Agency met in joint closed session in Room 2125 to consider the above issues and reconvened in regular open session at 10:33 a.m.

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APPROVE COUNCIL MINUTES OF AUGUST 25, 1998)

On motion of Councilmember Perea, seconded by Councilmember Quintero, duly carried, RESOLVED, the Council minutes of August 25, 1998, approved, **as amended**, as follows: on Page 132-86, Item **5H**, correcting Councilmember Steitz' vote to "No"; and on Page 132-79, Item **9:30 A.M.**, first paragraph, adding the underlined word: "Councilmember Bredefeld stated he appreciated the effort but emphasized the additional officers were still **not** enough to address the serious problem...".

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APPROVE JOINT POWERS FINANCING AUTHORITY MINUTES OF)
AUGUST 25, 1998)

On motion of Member Steitz, seconded by Member Ronquillo, duly carried, RESOLVED, the JPFA minutes of August 25, 1998, approved as submitted.

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APPROVE AGENDA:

ACKNOWLEDGEMENT AND COMMENDATION TO (1) ALL INVOLVED IN)
THE FABULOUS FRESNO PAINT-A-THON; (2) TO TREE FRESNO FOR)
PLANTING TREES AROUND THE FAIRGROUNDS; AND (3) TO GIB)
RAMBO AND FRED BIGLIONE FOR "ELAINE'S THRIFT SHOP" BUILDING)
AND DEDICATION - COUNCILMEMBER QUINTERO)

Acknowledgement and commendations made, with President Mathys commending Councilmember Quintero for his continued leadership and efforts in the Paint-A-Thon.

ACKNOWLEDGEMENT OF THREE EVENTS OVER THE PAST WEEKEND:)
MAYOR'S COSTUME BALL FOR THE ARTS; METROPOLITAN MUSEUM)
EVENT; AND TOWER DISTRICT BAR-B-QUE - VICE PRESIDENT BRIGGS)

Acknowledgement made.

COMMENDATION TO (1) COUNCILMEMBER QUINTERO FOR THE PAINT-A-)
THON AND HOMES PAINTED IN DISTRICT 3; AND (2) TO PUBLIC WORKS)
STAFF FOR REPAVING AND IMPROVING INNER-CITY STREETS -)
COUNCILMEMBER RONQUILLO)

Councilmember Ronquillo expressed thanks to his office staff for coordinating the painting of 10 homes in his district, and commended the Fresno State Wrestling Team and Capt. Enmark and the POP Team for their

participation in the painting of homes.

132-99

9/15/98

(1A-18) ADOPT RESOLUTION OF INTENTION NO. 1015-D TO VACATE)
A PORTION OF NEES AVENUE FROM FREEWAY 41 WESTERLY TO A POINT)
NEAR POPLAR AVENUE, AND PORTIONS OF THE RELINQUISHMENT OF)
ACCESS RIGHTS ALONG BLACKSTONE AVENUE BETWEEN NEES AND)
ALLUVIAL, AND SETTING THE HEARING FOR 10/6/98, AT 10:30 A.M.)

City Manager Reid noted the "corrected agenda" contained the addition of the above listed item. So noted.

COMMENDATION TO CITY COUNCIL FOR THE "SIDEWALKS TO SCHOOLS")
PROGRAM - COUNCILMEMBER QUINTERO)

Commendation made.

On motion of Councilmember Steitz, seconded by Bredefeld, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : None
Absent : None

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ADOPT CONSENT CALENDAR:

(1A-14) APPROVE THE TRANSFER OF APN'S 465-173-01T AND)
467-104-11T TO THE REDEVELOPMENT AGENCY FOR \$1.00 EACH;)
AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO EXECUTE THE)
APPROPRIATE QUITCLAIM DEEDS FOR SUBSEQUENT DELIVERY TO)
THE AGENCY)

On motion of Councilmember Ronquillo, seconded by President Mathys, duly carried, RESOLVED, the above entitled Item **1A-14** laid over one week, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : None
Absent : None

(1A-19) DISADVANTAGED BUSINESS ENTERPRISE PROGRAM:)
a. RESOLUTION - ESTABLISHING DISADVANTAGED BUSINESS)

ENTERPRISE GOAL OF 10% DBE PARTICIPATION FOR CONSTRUCTION)
CONTRACTS, PROCUREMENTS, PROFESSIONAL AND OTHER SERVICES)
CONTRACTS THAT ARE FEDERALLY FUNDED; AND RESCINDING)
RESOLUTION NO. 97-190)

132-100

9/15/98

b. RESOLUTION - ESTABLISHING AN OUTREACH PROGRAM TO SMALL)
BUSINESS ENTERPRISES, INCLUDING MINORITY, WOMEN AND)
DISABLED VETERAN BUSINESS ENTERPRISES, FOR NON-FEDERAL)
PROJECTS)

Councilmember Steitz registered a "No" vote on Item "a".

(1A-1) *RESOLUTION NO. 97-260 - 17TH AMENDMENT TO AAR 98-159)
APPROPRIATING \$12,900 FOR DEVELOPMENT FEES RELATED TO THE)
TOWER DISTRICT SPECIFIC PLAN ON OLIVE AVENUE BETWEEN PALM)
AND FRUIT AVENUES TO REDESIGNATE FROM RESIDENTIAL USE TO)
COMMERCIAL USE - VICE PRESIDENT BRIGGS)

(1A-2) *RESOLUTION NO. 98-261 - 18TH AMENDMENT TO AAR 98-159)
APPROPRIATING \$5,000 TO PROVIDE LANDSCAPE MAINTENANCE FOR)
THE AH-1 BASIN DOG PARK - PRESIDENT MATHYS)

(1A-3) PROPOSED APPOINTMENT OF SHARON LEVY TO THE FRESNO)
WORKFORCE DEVELOPMENT BOARD - VICE PRESIDENT BRIGGS (FOR)
INTRODUCTION))

(1A-4) APPROVE THE DEPARTMENT OF THE ARMY CORP OF ENGINEERS)
LEASE NO. DACA05-5-98-119 (CALIFORNIA AIR NATIONAL GUARD BASE,)
FRESNO YOSEMITE INTERNATIONAL AIRPORT); AND AUTHORIZE THE)
AIRPORTS OPERATIONS MANAGER TO EXECUTE THE SUBJECT LEASE)

(1A-5) AWARD A CONTRACT TO GEORGE DAKOVICH & SON FOR THE)
BASE BID PLUS ADD-ALTERNATE 1 (PVC PIPE) IN THE AMOUNT OF)
\$133,400 FOR INSTALLATION OF A 12" WATER MAIN IN WEST AND)
JENSEN AVENUES)

(1A-6) AWARD A CONTRACT FOR THE BASE BID PLUS ADD-ALTERNATE)
1 (PVC PIPE) TO GEORGE DAKOVICH & SON IN THE AMOUNT OF)
\$122,945 TO INSTALL A 8" WATER MAIN IN W. BULLARD, W.)
MORRIS, W. CELESTE AND W. ROBERTS AVENUES)

(1A-7) AWARD A CONTRACT TO LAIDLAW TRANSIT SERVICES, INC.)
TO PROVIDE ALL HANDY RIDE (PARATRANSIT) SERVICES FOR THE)

CITY OF FRESNO AS SPECIFIED IN THE REQUEST FOR PROPOSAL;)
AUTHORIZE STAFF TO FINALIZE CONTRACT TERMS; AND AUTHORIZE)
THE TRANSIT GENERAL MANAGER TO EXECUTE ALL CONTRACT)
DOCUMENTS ON BEHALF OF THE CITY)

132-101

9/15/98

(1A-8) AWARD A TWO-YEAR REQUIREMENTS CONTRACT WITH)
PROVISIONS FOR TWO-YEAR EXTENSIONS TO IONICS ULTRAPURE)
WATER OF FRESNO, IN THE ESTIMATED AMOUNT OF \$43,107.50)
FOR DEIONIZED WATER SYSTEMS)

(1A-9) **RESOLUTION NO. 98-262** - AUTHORIZING THE DEPARTMENT)
OF PUBLIC UTILITIES TO AUGMENT PERMITTING PROCEDURES AND)
COLLABORATE IN THE FRESNO COUNTY PERMIT CONSOLIDATION)
ZONE PILOT PROGRAM (TO STREAMLINE THE ENVIRONMENTAL)
PERMIT PROCESS))

(1A-10) **RESOLUTION NO. 98-263** - APPROVING THE APPLICATION)
FOR GRANT FUNDS FOR THE LOCAL AGENCY GRANT PROGRAM - FISCAL)
YEAR 1999-2000 UNDER THE HABITAT CONSERVATION FUND PROGRAM)
OF THE CALIFORNIA WILDLIFE PROTECTION ACT OF 1990 FOR)
CONSTRUCTION OF THE MACMICHAEL LOOP TRAIL SECTION OF THE)
SAN JOAQUIN RIVER PARKWAY - LEWIS S. EATON TRAIL; AND)
AUTHORIZE THE DIRECTOR OF PARKS, RECREATION AND COMMUNITY)
SERVICES TO CONDUCT ALL NEGOTIATIONS, EXECUTE AND SUBMIT)
ALL DOCUMENTS, INCLUDING BUT NOT LIMITED TO APPLICATIONS,)
AGREEMENTS, AMENDMENTS, PAYMENT REQUESTS, ETC., WHICH MAY)
BE NECESSARY FOR COMPLETION OF THIS PROJECT)

(1A-11) **RESOLUTION NO. 98-264** - APPROVING THE FILING OF AN)
APPLICATION FOR GRANT FUNDS FOR THE ENVIRONMENTAL ENHANCE-)
MENT AND MITIGATION PROGRAM UNDER SECTION 164.56 OF THE)
STREETS AND HIGHWAYS CODE FOR THE BELMONT AVENUE MEDIANS)
ROUTE 180 FREEWAY URBAN FORESTRY PROJECT; AND AUTHORIZE)
THE DIRECTOR OF PARKS, RECREATION AND COMMUNITY SERVICES)
TO CONDUCT ALL NEGOTIATIONS, EXECUTE AND SUBMIT ALL)
DOCUMENTS, INCLUDING BUT NOT LIMITED TO APPLICATIONS,)
AGREEMENTS, AMENDMENTS, PAYMENT REQUESTS, ETC., WHICH MAY)
BE NECESSARY FOR COMPLETION OF THIS PROJECT)

(1A-12) AUTHORIZE THE FILING OF AN APPLICATION WITH THE)
STATE DEPARTMENT OF EDUCATION FOR GRANT ASSISTANCE TO)
FUND THE FY 99 YEAR-ROUND SACK LUNCH PROGRAM)

(1A-13) ADOPT RESOLUTION OF INTENTION NO. 1016-D FOR THE)
VACATION OF A PORTION OF CALIMYRNA AVENUE BETWEEN)
STANFORD AND BRAWLEY AVENUES, AND SET THE PUBLIC HEARING)
FOR OCTOBER 6, 1998, AT 10:40 A.M.)

132-102

9/15/98

(1A-15) APPROVE THE REIMBURSEMENT AGREEMENT WITH THE)
COUNTY OF FRESNO FOR THE DRY CREEK BRIDGE ON KEARNEY)
BOULEVARD; AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO)
SIGN THE AGREEMENT ON BEHALF OF THE CITY)

(1A-17) *RESOLUTION NO. 98-265 - 2ND AMENDMENT TO PAR 98-160)
ACCELERATING THE HIRING DATE FOR CERTAIN POLICE OFFICER)
POSITIONS, FIRE FIGHTER POSITIONS, A LEAD WORKER POSITION)
FOR SEWER MAINTENANCE AND ADDING A COMMUNICATIONS)
TECHNICIAN II POSITION TO ELECTRONICS AND COMMUNICATIONS)
DIVISION)

a. *RESOLUTION NO. 98-266 - 15TH AMENDMENT TO AAR 98-159)
INCREASING APPROPRIATIONS FOR POLICE OFFICERS FUNDED)
ONE HUNDRED PERCENT (100%) WITH GRANT FUNDS)

(1A-18) ADOPT RESOLUTION OF INTENTION NO. 1015-D FOR THE)
VACATION OF A PORTION OF NEES AVENUE FROM FREEWAY 41)
WESTERLY TO A POINT NEAR POPLAR AVENUE AND PORTIONS OF THE)
RELINQUISHMENT OF ACCESS RIGHTS ALONG BLACKSTONE AVENUE)
BETWEEN NEES AND ALLUVIAL AVENUES, AND SETTING THE PUBLIC)
HEARING FOR OCTOBER 6, 1998, AT 10:30 A.M.)

(1A-19) DISADVANTAGED BUSINESS ENTERPRISE PROGRAM:)
b. RESOLUTION NO. 98-268 - ESTABLISHING AN OUTREACH PROGRAM)
TO SMALL BUSINESS ENTERPRISES, INCLUDING MINORITY, WOMEN)
AND DISABLED VETERAN BUSINESS ENTERPRISES, FOR NON-FEDERAL)
PROJECTS)

(1A-21) RESOLUTION NO. 98-269 - ENDORSING WORK EFFORTS OF THE)
CALIFORNIA HIGH SPEED RAIL AUTHORITY AND PREFERRED HIGH)
SPEED RAIL CORRIDOR ALIGNMENT)

On motion of Councilmember Steitz, seconded by Councilmember Quintero, duly carried, RESOLVED, the
above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

132-103

9/15/98

(1A-19) DISADVANTAGED BUSINESS ENTERPRISE PROGRAM:)
a. RESOLUTION NO. 98-267 - ESTABLISHING DISADVANTAGED BUSINESS)
ENTERPRISE GOAL OF 10% DBE PARTICIPATION FOR CONSTRUCTION)
CONTRACTS, PROCUREMENTS, PROFESSIONAL AND OTHER SERVICES)
CONTRACTS THAT ARE FEDERALLY FUNDED; AND RESCINDING)
RESOLUTION NO. 97-190)

On motion of Councilmember Steitz, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled **Item 1A-19 "a"** hereby adopted, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Mathys
Noes	:	Steitz
Absent	:	None

(9:50 A.M.) STATE OF HISTORIC PRESERVATION ANNUAL REPORT)

Report made by Scott Vicent, Chair, Historic Preservation Commission. (2 - 0)

1. PROCLAMATION OF "GLORIA AND DEAN CHAMBERS DAY" -)
COUNCILMEMBER RONQUILLO)

Read and presented

On motion of Councilmember Quintero, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the State of Historic Preservation Annual Report hereby accepted, by the following vote:

ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

(8:45 A.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY)

The City Council met in joint session with the Redevelopment Agency at the hour of 11:08 a.m., in the Council Chamber, City Hall.

JOINT CLOSED SESSION ANNOUNCEMENT - CITY ATTORNEY)

City Attorney Montoy advised relative to the items relating to the Fresno Diamond Group/downtown stadium, the joint bodies took no action and staff was directed to proceed in accordance with the May 8, 1998, letter to the Fresno Diamond Group, which letter was approved subsequent to Council meetings held on 4/14, 4/21 and 5/5/98.

132-104

9/15/98

APPROVE AGENCY MINUTES OF AUGUST 25, 1998)

On motion of Councilmember, seconded by Councilmember Quintero, duly carried, RESOLVED, the Agency minutes of August 25, 1998, approved as submitted.

(8:45 A.M. "A") HEARING TO CONSIDER APPROVAL OF A LEASE)
AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY AND THE)
FRESNO UNIFIED SCHOOL DISTRICT FOR AN AGENCY-OWNED)
PARKING LOT, PROPERTY BOUNDED BY TULARE, "O", MAIN AND)
"N" STREETS)

Chair Ronquillo announced the time had arrived to consider the issue and opened the hearing.

Redevelopment Administrator Murphey briefly reviewed the staff report as submitted and along with Agency Director Fitzpatrick responded to questions of Vice President Briggs relative to parking for City employees and marketing the site.

On motion of President Mathys, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the new lease agreement with the Fresno Unified School District for Agency owned property bound by Tulare, Main, "N" and "O" Streets at an annual lease rate of \$33,600 for a period of five years hereby approved; and the Agency Director, or his designee, authorized to execute the Lease Agreement, by the following vote:

Ayes	:	Bredefeld, Briggs, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	None

(C) ACCEPT TRANSFER OF TWO CITY-OWNED PARCELS OF REAL)
ESTATE WITHIN THE KEARNEY PALMS SHOPPING CENTER SITE)
TO THE REDEVELOPMENT AGENCY (APN'S 465-173-01T AND 467-104-11T))

Laid over one week in conjunction with City Council Item **1A-14**.

(B) APPROVAL OF MATTERS NECESSARY TO PROCEED WITH THE)
PROCESSING OF THE PROPOSED AMENDMENTS TO THE SOUTHWEST)
FRESNO GENERAL NEIGHBORHOOD RENEWAL AREA URBAN RENEWAL)
PLAN AND THE FRUIT/CHURCH REDEVELOPMENT PLAN - MERGER)
PROJECT NO. 2)
1. AGENCY RESOLUTION NO. 1495 - RECEIVING AND ADOPTING THE)
REPORT TO COUNCIL AND SUBMITTING THE REPORT TO THE CITY)
COUNCIL)

132-105

9/15/98

2. JOINT COUNCIL RESOLUTION NO. 98-270 AND AGENCY)
RESOLUTION NO. 1496 - CONSENTING TO A JOINT PUBLIC HEARING)
ON OCTOBER 20, 1998, AT 5:30 P.M., FOR CONSIDERATION AND)
ACTION UPON THE PROPOSED REDEVELOPMENT PLAN AMENDMENTS)
AND ASSOCIATED DOCUMENTS)

A motion and second to adopt the resolutions was acted upon after comments by staff. Vice President Briggs briefly left the meeting at 11:14 a.m. Redevelopment Administrator Murphey advised of two minor technical corrections for the record which were noted and accepted.

On motion of Councilmember Perea, seconded by President Mathys, duly carried, RESOLVED, the above entitled Agency Resolution No. 1495 and Joint Council/Agency Resolution No. 98-270/1496 hereby adopted, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	Briggs

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The joint bodies adjourned and the City Council reconvened in regular session at the hour of 11:15 a.m.

CONGRATULATIONS TO FRESNO BEE REPORTER FELICIA COUSART ON)
HER RECENT MARRIAGE - COUNCILMEMBER QUINTERO)

Congratulations extended.

(10:00 A.M.) HEARING ON REZONING APPLICATION NO. R-98-20 AND)
ENVIRONMENTAL FINDINGS, FILED BY FGV, LLC, A DELAWARE LIMITED)
LIABILITY CORPORATION, FOR PROPERTY LOCATED ON THE NORTHSIDE)
OF SHAW AVENUE BETWEEN N. PALM AND N. WISHON AVENUES)

(ADJOINING FIGARDEN VILLAGE SHOPPING CENTER TO THE EAST))
1. BILL NO. B-78 - ORDINANCE NO. 98-68 - AMENDING THE OFFICIAL)
ZONE MAP TO REZONE FROM C-P AND P TO C-3/CZ (WITH CONDITIONS))

President Mathys announced the time had arrived to consider the issue and opened the hearing. Vice President Briggs returned to the meeting at 11:16 a.m. Planner Beach clarified at issue was a rezoning request and not the site plan or other related issues of neighborhood concern raised at the Planning Commission meeting, and recommended approval of the rezone.

132-106

9/15/98

Speaking to the issue were: Tony Pings, 1640 W. Shaw, representing Fig Garden Homeowners, support for the expansion and clarification of Exhibits A and B and a condition contained in the staff report; Jim Logan, representing Richard Randall, support for expansion/opposed to left-turn traffic signal; Jim Tsuruoka, Hanna and Hanna, 1707 N. Fresno St., representing Fig Garden Village owners, support of staff's recommendation; Gary Yervan, Fig Garden Village Merchants Association (FGVMA), support; Craig Pokorny, Fig Garden Business Owner, Secretary/Treasurer, FGVMA, support; and Karen Musson, 1771 S. Waverly, property owner on N. Wishon, concern with the site plan.

Upon call, no one asked to be heard and President Mathys closed the public testimony portion of the hearing.

Mr. Beach responded to Council questions relative what was at issue this date and future input on the site plan. President Mathys expressed his support for the project and stressed the importance of preserving the theme and quality of Fig Garden Village. Brief discussion ensued with Councilmember Ronquillo stating he would have some concern with an additional traffic signal on Shaw.

On motion of President Mathys, seconded by Councilmember Perea, duly carried, **RESOLVED**, the Mitigated Negative Declaration prepared for Environmental Assessment No. R-98-20 hereby approved; and the above entitled Bill No. B-78 approving C-3/cz zoning for the subject site, subject to conditions listed in the staff report recommendation adopted as Ordinance No. 98-68, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

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(10:30 A.M.) HEARING ON PLAN AMENDMENT NO. A-98-07, REZONING)
APPLICATION NO. R-98-09 AND ENVIRONMENTAL FINDINGS, FILED BY)
LAND DYNAMICS, PROPERTY LOCATED NORTHWEST OF THE W.)

BARSTOW AVENUE AND FREEWAY 99 ALIGNMENTS)
1. RESOLUTION NO. 98-271 - AMENDING THE WEST AREA COMMUNITY)
 PLAN (WEST PORTION OF THE 1975 BULLARD COMMUNITY PLAN))
2. BILL NO. B-79 - ORDINANCE NO. 98-69 - AMENDING THE OFFICIAL)
 ZONE MAP TO REZONE FROM AE-5/UGM TO R-2/UGM/CZ (WITH)
 CONDITIONS))

President Mathys announced the time had arrived to consider the issue and opened the hearing.

Planner Beach reviewed the staff report as submitted, advised two issues of concern were the proximity to the freeway and potential project impact on the Central Unified School District (CUSD), recommended approval of the plan amendment and rezone, and upon question of President Mathys, stated the site plan would be brought back for review.

132-107

9/15/98

Jim Logan, representing Land Dynamics, spoke in support of the project.

A motion and second to approve staff's recommendation was acted upon brief discussion with Mr. Beach responding to a question of Councilmember Bredefeld relative to mitigation measures for the increase of students in the school district.

Upon call, no one else wished to be heard and President Mathys closed the hearing.

On motion of Councilmember Briggs, seconded by Councilmember Steitz, duly carried, RESOLVED, the Mitigated Negative Declaration for Environmental Assessment No. A-98-07/R-98-09 hereby approved; the above entitled Resolution No. 98-271 adopted; and the above entitled Bill No. B-79 adopted as Ordinance No. 98-69, subject to the conditions listed in the bill, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz
Noes	:	Mathys
Absent	:	None

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(10:45 A.M.) CONSIDER AMENDMENTS TO THE FRESNO CITY EMPLOYEES)
HEALTH AND WELFARE TRUST RELATING TO APPOINTMENTS BY THE)
AND ARBITRATION PROCEDURES - COUNCILMEMBER QUINTERO)
(COUNCIL ACTION TO OVERRIDE MAYORAL VETO - REQUIRES 5 VOTES))

Attorney Barry Bennett, representing the employee organizations, disputed a statement in the veto message implying there would be a cost factor to the City and explained, and reviewed the issue. Councilmember Quintero made a motion, seconded by Councilmember Ronquillo, to override the veto.

Councilmember Steitz stated he would again oppose the issue due to arbitration which would impact the city budget, and also due the cost adding it would be detrimental to needed city programs.

City Attorney Montoy and Controller Souza responded to questions of Councilmember Perea relative to which positions employee trustees were selected from, details on how the issue got to this point, and arbitration not applying to claims appeals. **(3 - 0)** Councilmember Perea stated the binding arbitration was making him hesitate at this point and explained, and made a substitute motion to table the issue one week for further discussions with staff and union representatives, and requested staff provide a list of those positions from which trustees are selected.

Councilmember Ronquillo commented on the need for a fair balance relative to appointments, and expressed concern with a statement in the Mayor's veto message relative to Council relishing efforts to disempower the City executive branch of government from its intended charter authorities and explained.

Upon question, Gene Zimmerman, FCEA, stated the organization supported arbitration as there was no other way to break ties.

132-108

9/15/98

President Mathys stated he supported arbitration and was ready to move forward on the issue this date, and Vice President Briggs stated he supported a delay, whereupon Councilmember Quintero withdrew his motion.

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, **RESOLVED**, the issue of overriding the Mayoral veto relative to amending the City's Health and Welfare Trust administration tabled one week, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz
Noes	:	Mathys
Absent	:	None

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(11:00 A.M.) HEARING ON PLAN AMENDMENT NO. A-98-14, FILED BY)
THE CITY OF FRESNO DEVELOPMENT DIRECTOR FOR MODIFICATIONS)
TO THE NOISE CONTOURS FOR THE SIERRA SKY PARK AIRPORT AS)
SHOWN IN THE SIERRA SKY PARK LAND USE POLICY PLAN AND THE)
BULLARD COMMUNITY PLAN)
1. RESOLUTION NO. 98-272 - AMENDING THE SIERRA SKY PARK)
LAND USE POLICY PLAN AND THE BULLARD COMMUNITY PLAN)

President Mathys announced the time had arrived to consider the issue and opened the hearing. Councilmembers Perea and Bredefeld briefly left the meeting at 11:52 a.m. Planner Beach reviewed the staff report as submitted. A motion and second to approve staff's recommendation was acted upon after brief discussion. Councilmember Steitz briefly left the meeting at 11:53 a.m. President Mathys stated his support for the resolution.

Woody Gregory, 7394 N. McCampbell Drive, Sierra Sky Park, spoke in support of the issue.

On motion of President Mathys, seconded by Councilmember Steitz, duly carried, RESOLVED, the Categorical Exemption for Environmental Assessment No. A-98-014 hereby approved; and the above entitled Resolution No. 98-272 amending the noise contours adopted, by the following vote:

Ayes : Briggs, Quintero, Ronquillo, Mathys
Noes : None
Absent : Bredefeld, Perea, Steitz

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Councilmembers Steitz and Perea returned to the meeting at 11:55 a.m.

132-109

9/15/98

(11:30 A.M.) HEARING ON REZONING APPLICATION NO. R-98-17,)
FILED BY VELMA DYCK, PROPERTY LOCATED ON THE NORTHEAST)
CORNER OF N. MARIPOSA AND E. HERNDON AVENUE AND THE)
SOUTHWEST CORNER OF E. FIR AND N. MARIPOSA AVENUES)
1. BILL NO. B-80 - ORDINANCE NO. 98-70 - AMENDING THE)
OFFICIAL ZONE MAP TO REZONE FROM R-A/UGM AND AE-5/UGM)
TO C-P/EA/UGM)

President Mathys announced the time had arrived to consider the issue and opened the hearing.

Upon call, no one wished to be heard and President Mathys closed the hearing.

On motion of President Mathys, seconded by Councilmember Steitz, duly carried, RESOLVED, the finding of the Negative Declaration for Environmental Assessment No. R-98-17 hereby approved; and the above entitled Bill No. B-80 adopted as Ordinance No. 98-70, by the following vote:

Ayes : Briggs, Perea, Quintero, Steitz, Mathys
Noes : None
Absent : Bredefeld, Ronquillo

- - - -

(11:45 A.M.) APPEARANCE BY KURT D. SAINDON, COMMUNITY HELP,)
ABDUCTION SEARCHES, EDUCATION, RECOVER SERVICES (C.H.A.S.E.R.S.),)
REQUESTING THE CITY SET UP A MISSING CHILDREN'S REWARD FUND)

Request made by Mr. Saindon who commented on the need for a reward fund. Councilmembers Bredefeld and Ronquillo returned to the meeting at 11:59 a.m. Brief discussion ensued with Mr. Saindon and City Manager

Reid responding to questions relating to international parental abduction cases, and utilizing Crime Stoppers and City Reward Fund monies.

On motion of Vice President Briggs, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the request by CHASERS for the City to establish a Missing Children's Reward Fund referred to staff, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

- - - -

132-110

9/15/98

SUSPENSION OF LUNCH HOUR RULE)

On motion of Vice President Briggs, seconded by President Mathys, duly carried, RESOLVED, the lunch hour rule hereby suspended to consider an additional item, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

- - - -

(3A) *BILL NO. B-75 - ORDINANCE NO. 98-71 - AMENDING SECTIONS)
OF THE FRESNO MUNICIPAL CODE RELATING TO "TOW CARS")

On motion of Vice President Briggs, seconded by Councilmember Steitz, duly carried, RESOLVED, the above entitled Bill No. B-75 adopted as Ordinance No. 98-71, by the following vote:

Ayes	:	Bredefeld, Briggs, Quintero, Ronquillo, Steitz, Mathys
Noes	:	Perea
Absent	:	None

- - - -

LUNCH RECESS - 12:05 P.M. - 2:15 P.M. Councilmembers Bredefeld and Quintero arrived later.

(1A-20) APPROVE CONTRACT CHANGE ORDER NO. 4 WITH VULCAN)

CONSTRUCTION AND MAINTENANCE, INC. FOR THE REQUIREMENTS)
CONTRACT TO REPLACE POLYBUTYLENE WATER SERVICES WITHIN)
THE CITY OF FRESNO)

Councilmember Steitz stated his question had been answered by staff.

On motion of Councilmember Steitz, seconded by President Mathys, duly carried, RESOLVED, Contract Change Order No. 4 hereby approved, and the Public Works Director authorized to sign the change order on behalf of the City, by the following vote:

Ayes : Briggs, Perea, Ronquillo, Steitz, Mathys
Noes : None
Absent : Bredefeld, Quintero

- - - -

Councilmember Quintero arrived at 2:16 p.m.

132-111

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(1A-16) RESOLUTION NO. 98-273 - APPROVING FINAL MAP FOR TRACT)
NO. 4677/UGM 536, A 90-LOT SINGLE-FAMILY RESIDENTIAL SUBDI-)
VISION WITH 3 OUTLOTS FOR OPEN SPACE PURPOSES, PROPERTY)
LOCATED AT THE NORTHEAST CORNER OF S. ARMSTRONG AVENUE)
AND E. KINGS CANYON ROAD, AND ACCEPTING THE DEDICATED)
PUBLIC USES THEREIN)

Councilmember Quintero stated staff had clarified the location of a park in the subject area.

On motion of Councilmember Quintero, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled Resolution No. 98-273 hereby adopted; the Public Works Director authorized to execute the Subdivision Agreement, Covenant for Landscape Maintenance, Covenant for Temporary Drainage Facilities; and the Development Director authorized to execute the Covenant to Defer the payment of certain Sewer Connection Charges, Water Connection Charges, and Urban Growth Management and Development fees, by the following vote:

Ayes : Briggs, Perea, Quintero, Ronquillo, Steitz
Noes : None
Absent : Bredefeld
Abstain : Mathys

- - - -

(1B-1) *BILL NO. B-81 - AMENDING THE FRESNO MUNICIPAL CODE)
RELATING TO CONVENTION CENTER LICENSES)

Convention Center Manager Sweeney responded to questions of Councilmember Ronquillo relative to intent of the amendments and the Convention Center's authority over licensing, advertising, and street vendors.

On motion of Councilmember Ronquillo, seconded by Vice President Briggs, duly carried, RESOLVED, the above entitled Bill No. B-81 introduced before the Council and laid over, by the following vote:

Ayes	:	Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	Bredefeld

- - - -

(3B) *BILL NO. B-76 - ORDINANCE NO. 98-72 - AMENDING THE FRESNO)
MUNICIPAL CODE CARD ROOM ORDINANCE RELATING TO MINORS ON)
CARD ROOM PREMISES)

Brief discussion and clarification ensued on the previously directed amendments. Councilmember Bredefeld arrived at 2:22 p.m.

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On motion of Councilmember Ronquillo, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled Bill No. B-76 adopted as Ordinance No. 98-72, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz
Noes	:	Mathys
Absent	:	None

- - - -

(5A) CONSIDER ADDITION TO COUNCIL RULES AND PROTOCOL)
RELATING TO TIMED ITEMS - RULE NO. 16(g) - VICE PRESIDENT)
BRIGGS)

On motion of Vice President Briggs, seconded by President Mathys, duly carried, RESOLVED, the above entitled Item **5A** laid over one week, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

- - - -

(5B) REQUEST FOR REPORT FROM STAFF RELATING TO "O" STREET)
CLOSURE AND ADULT SCHOOL STATUS - COUNCILMEMBER RONQUILLO)

Resolved administratively.

- - - -

(5C) REPORT FROM STAFF RELATING TO DISCONTINUING THE GREEN)
WASTE PILOT PROGRAM IN DISTRICT 5 AND RETURN TO EXISTING)
PROGRAM, AND USE OF A PROPOSED PROGRAM USED IN OTHER)
CITIES - COUNCILMEMBER QUINTERO)

On motion of Councilmember Quintero, seconded by President Mathys, duly carried, RESOLVED, the above entitled Item **5C** laid over one week, by the following vote:

Ayes : Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : None
Absent : None

Brief discussion ensued with City Manager Reid responding to questions of Councilmember Perea relative to timeline for issuing an RFP for the program and expiration of current program, with Mr. Reid stating he would reissue a memorandum previously sent responding to those inquiries.

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132-113

9/15/98

(5D) DIRECT STAFF TO REVIEW AND RECOMMEND A RECEIVERSHIP)
PROGRAM FOR THE CITY OF FRESNO OF DETERIORATED AND)
SUBSTANDARD HOUSING (CITY OF OAKLAND HAS A SIMILAR)
PROGRAM) - COUNCILMEMBER RONQUILLO)

Reviewed by Councilmember Ronquillo who directed staff to see if such a program could be implemented due negligent homeowners in the inner-city.

On motion of Councilmember Ronquillo, seconded by President Mathys, duly carried, RESOLVED, staff directed to review and recommend a receivership program for the City of Fresno for deteriorated and substandard housing, by the following vote:

Ayes : Bredefeld, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : Briggs
Absent : None

- - - -

(5F) RESOLUTION NO. 98-274 - OPPOSING THE 1998 ELECTRIC UTILITY)
PROPOSITION (LOCAL GOVERNMENT) - COUNCILMEMBER PEREA)

Al Galvez, Director of Governmental and Community Affairs, Pacific Gas & Electric Co., gave a synopsis of Proposition 9 and its affect on the City, County and schools. Brief discussion ensued.

On motion of Councilmember Perea, seconded by Councilmember Steitz, duly carried, RESOLVED, the above entitled Resolution No. 98-274 hereby adopted, by the following vote:

Ayes	:	Bredefeld, Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	None

- - - -

(5G) UPDATE AND DIRECTION TO STAFF REGARDING DISCUSSIONS)
ON THE PROPOSED CITY GRANT TO THE FRESNO DIAMOND GROUP (FDG))
REGARDING THE MULTIPURPOSE BASEBALL STADIUM - VICE PRESIDENT)
BRIGGS)

Vice President Briggs stated discussions were moving along in a positive manner, noted a Council majority gave clear direction to staff in closed session this morning to move forward in a certain direction and that the terms were very well spelled out, and encouraged the City Attorney to shoot for the "artificial" deadline in October.

City Attorney reiterated no formal action was taken in closed session this morning by the Council and Redevelopment Agency and that the consensus was to proceed pursuant to the May 8th letter to the Fresno Diamond Group in accordance with prior meetings and discussions.

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Councilmember Bredefeld concurred the majority of Council was eager to move forward in getting the stadium built and were very supportive of the May 8th proposal that Council approved and the Diamond Group accepted, stated he felt this was not a "take it or leave it" situation, and stressed all involved needed to continue to make the stadium a reality and work in good faith in a cooperative fashion.

President Mathys stated the issue was to what extent the taxpayers should subsidize the stadium and explained. Councilmember Ronquillo concurred the City needed to be careful with taxpayer dollars but at the same time needed to realize the benefits of economic development and improvement to the downtown area and core of the city. There was no further discussion.

- - - -

(5E) DIRECT CITY ATTORNEY TO REVIEW THE CITY CONTRACT)
WITH TREE FRESNO AND EVALUATE WHETHER THE CITY'S)
OBLIGATIONS TO MEET AND CONFER OR MEET AND CONSULT WAS)
MET AND WHETHER THE CONTRACT FALLS WITHIN THE SCOPE OF)
THE SIDELETTER AGREEMENT - COUNCILMEMBER PEREA)
1. PRESENTATION BY LOCAL 39)

Councilmember Perea reviewed the issue stating he was not comfortable that the City met its obligation and explained, and requested a review by the City Attorney.

Alex Correa, Local 39 Business Agent, stated there was a misunderstanding or misinformation relative to communication from the union on behalf of their employees, noted there had been communication, **(4 - 0)** advised a letter from former Business Agent Ramirez requesting to meet on the issue received no answer, emphasized contrary to what had been said temporary employees were going to be displaced, and requested the bargaining unit be allowed to meet with staff on the issue.

Councilmember Perea made a motion to place a hold on the contract with Tree Fresno and direct the City Attorney to review the issue as outlined above.

Upon question of Councilmember Steitz, Ms. Montoy stated the contract had been approved as to form prior to approval by Council. Ms. Montoy advised putting the contract in abeyance, as motioned by Councilmember Perea, might constitute a breach of contract as it had been executed and explained.

Mr. Reid responded to questions of Councilmember Steitz stating no permanent employees would be displaced, and clarified the issue stating there had been plenty of opportunity for review and discussions. Councilmember Steitz stated this was a non-issue as the contract had been reviewed by the Attorney's office and was legal.

Mr. Correa reiterated there was communication but it was different from meeting and providing input on the proposal, and emphasized meet and confer had not occurred.

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On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the City Attorney directed to review the contract with Tree Fresno and evaluate whether the City's obligation to meet and confer or meet and consult was met and whether the contract falls within the scope of the Side Letter Agreement, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Ronquillo
Noes	:	Briggs, Steitz, Mathys
Absent	:	None

Mr. Reid confirmed the existing contract would not be suspended.

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(2:30 P.M.) CONTINUED HEARING ON CITY OF FRESNO COMMUNITY)
FACILITIES DISTRICT NO. 2 (CFD#2), ANNEXATION NO. 7)
1. RESOLUTION - ANNEXING TERRITORY TO CFD#2 AND AUTHORIZING)
THE LEVY OF A SPECIAL TAX)
2. RESOLUTION - CALLING A SPECIAL MAILED-BALLOT ELECTION)
3. RESOLUTION - DECLARING ELECTION RESULTS)
4. *BILL - LEVYING A SPECIAL TAX FOR THE PROPERTY TAX YEAR)

1999-2000 AND FUTURE TAX YEARS WITHIN AND RELATING TO CFD#2,)
ANNEXATION NO. 7)

President Mathys announced the time had arrived to consider the issue and opened the hearing. Upon call, no one wished to be heard and President Mathys closed the hearing.

Upon question of Vice President Briggs, City Design Engineer Kassabian confirmed 100% of the property owners supported the special tax, and advised of a request from the subdivider to continue the hearing to December 15th.

A motion was made and voted on. Councilmember Bredefeld left the meeting at 2:58 p.m. and returned later in the evening. Discussion ensued on the motion and action due to confusion as to whether it was to adopt the resolutions/ordinance bill or continue the hearing as requested by staff and the subdivider, whereupon the following action was taken:

On motion of President Mathys, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the hearing on Community Facilities District No. 2, Annexation No. 7, continued to December 15, 1998, at 2:30 p.m., by the following vote:

Ayes	:	Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	Bredefeld

— — — —

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Councilmember Steitz welcomed all on the internet listening to the Council meeting.

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(3:00 P.M.) *BILL NO. B-82 - ADDING ARTICLE 9 TO CHAPTER 9)
OF THE FRESNO MUNICIPAL CODE RELATING TO MANAGEMENT OF)
REAL PROPERTY)

A motion and second to introduce the ordinance was acted upon after discussion. Deputy City Attorney Slater and Bob Wilson, Apartment Association, responded to questions of Vice President Briggs relative agreement on the ordinance.

Mr. Wilson stated the Apartment Industry and the Apartment Vacancy Task Force supported the ordinance, but the Board of Realtors had a concern with the number of calls which would generate a citation, with Councilmember Steitz concurring and requesting an amendment changing the number from 1.25 to 1.5, which amendment was accepted by the motion-maker. Councilmember Perea stated he did not want to dilute the original intent of the ordinance which was to deal with slumlords.

George Murphy, President-Elect, Fresno Association of Realtors, requested the Police Department report back on a quarterly basis on the utilization and success of the ordinance, with Council concurring on the need for reports.

Brief discussion ensued on the intent of the ordinance with Deputy Police Chief Fifield responding to questions relative to calls from owners or owner-representatives not being used against them.

On motion of Councilmember Perea, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled Bill No. B-82 introduced, as amended, changing the frequent response from 1.25 to 1.5, by the following vote:

Ayes	:	Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes	:	None
Absent	:	Bredefeld

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RECESS - 3:05 P.M. - 5:58 P.M. Councilmember Bredefeld arrived later.

(5:30 P.M.) HEARING TO CONSIDER A RESOLUTION OF PUBLIC USE)
AND NECESSITY FOR ACQUISITION OF EASEMENTS FOR CONSTRUCTION)
OF THE GRANTLAND TRUNK SEWER)

President Mathys announced the time had arrived to consider the issue and opened the hearing.

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Public Works Director Salazar submitted a protest letter from Mr. and Mrs. Theodore McCaleb, a copy of which is on file in the office of the City Clerk.

President Mathys advised there was a request to continue the hearing two weeks, whereupon Mr. Salazar requested Council take action on the resolution this date as the project was currently out to bid, and delete the Kevorkian property at this time for further discussions with Mr. Kevorkian.

A motion and second to adopt the resolution, as amended and recommended by staff, was acted upon after brief discussion.

Dirk Poeschel, representing property owner Hugo Kevorkian, concurred with staff's recommendation stating some improvement was being made on the alignment.

City Attorney Montoy clarified it may still be necessary to come back at a future date with a resolution of necessity on the Kevorkian parcel if agreement could not be reached adding staff would continue to work towards an agreement.

Upon call, no one else wished to be heard and President Mathys closed the hearing.

**1. *RESOLUTION NO. 98-275 - DETERMINING THAT PUBLIC INTEREST)
AND NECESSITY REQUIRE CONSTRUCTION OF THE GRANTLAND AVENUE)
TRUNK SEWER PROJECT, AND THE ACQUISITION OF PERMANENT AND)
TEMPORARY CONSTRUCTION EASEMENTS WITHIN OR CONTIGUOUS TO)
THE GRANTLAND AVENUE RIGHT-OF-WAY BETWEEN HERNDON AND)
JENSEN AVENUES, AS AMENDED, DELETING THE KEVORKIAN PARCEL)**

On motion of President Mathys, seconded by Councilmember Perea, duly carried, **RESOLVED**, the above entitled Resolution No. 98-275 stating that the public interest and necessity require the construction of the Grantland Trunk Sewer, and that permanent sewer easements and temporary construction easements on the designated properties are required for the project hereby adopted, **as amended**, excluding the Kevorkian property at this time for further negotiations, by the following vote:

Ayes : Briggs, Perea, Quintero, Ronquillo, Steitz, Mathys
Noes : None
Absent : Bredefeld

- - - -

132-118

9/15/98

**(5:45 P.M.) JOINT MEETING WITH THE PLANNING COMMISSION - ISSUES)
FOR DISCUSSION:)
1. METHODS TO IMPROVE COMMUNICATION BETWEEN THE CITY)
COUNCIL AND THE PLANNING COMMISSION)
2. THE PLANNING COMMISSION'S ROLE IN THE GENERAL PLAN UPDATE)
3. PENDING JOINT MEETINGS WITH LOCAL PLANNING COMMISSIONS)
4. METHODS TO ENCOURAGE MORE INFILL DEVELOPMENT)
5. COMPREHENSIVE ZONING ORDINANCE UPDATE)
6. CITY POLICY RELATED TO NEW STOP SIGNS AND SPEED BUMPS)
7. FRONT YARD FENCE STANDARDS)
8. METHODS TO IMPROVE YOUTH ACTIVITIES)
9. TOWER DISTRICT PARKING STUDY)
10. OTHER ISSUES)**

(1 - 0) The City Council met with the Planning Commission in Meeting Room A. Present were: Mayor

Patterson, President Mathys and Councilmembers Bredefeld, Briggs, Perea, Quintero, Ronquillo and Steitz; Planning Commissioners Stone, Sterling, Alvarez, DiBuduo, Eckenrod and Civiello; City Manager Reid, City Attorney Montoy, Development Director Solis and Planning Manager Yovino.

Commissioner DiBuduo welcomed all to the meeting, stated the above listed topics were all tentative issues for informational purposes only, and stated it was the Commission's intent to assist Council as much as possible by working issues through prior to coming to Council.

Discussion ensued on Topic #1 with Commissioner DiBuduo clarifying there was no lack of communication and that the open setting was working well. Council commended the Planning Commission (PC) on their job performance and it was the consensus that the PC should be independent and not be swayed by Council, and that Council's philosophical views on major issues such as car washes, along with neighborhood concerns on various issues, would be welcomed by the PC. Discussion ensued on the administrative record, staff report structure, and obtaining suggestions from the PC on City policies. Councilmember Quintero commended the PC for taking care of many initial concerns and fine-tuning issues prior to reaching the Council level.

Discussion ensued on Topic #2, with Commissioner DiBuduo stating the PC's role was to be pro-active and that they were willing to conduct public hearings to move the issue along. It was determined Council's philosophical views and district issues were welcomed. President Mathys stated his position was to protect the riverbottom as a recreational use. Discussion ensued on implementing a system with Councilmember Quintero stating he viewed Development staff as the middle-person as they attended all PC, Council and Council District meetings. Mayor Patterson commented on (1) the process for dissemination of information, (2) presenting a plan at odds with Fresno County, and (3) the City issuing a plan and moving forward. Planning Manager Yovino commented on the importance of getting as much consensus and at least initiating a target plan and added the PC would play a significant role as they would receive the plan and make a final recommendation to the Council. Mayor Patterson thanked the PC for their effort and persistence in scheduling joint meetings stating it was helpful to know what Madera's position was.

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Discussion ensued on Topic #4 with Councilmembers Perea and Ronquillo commenting on the need for development incentives for the inner-city and obtaining interest for the downtown area. (2 - 0) Discussion ensued on planning law for projected growth with Mr. Yovino responding to questions. Mayor Patterson and City Manager Reid elaborated on the City's approach and program for infill development, with discussion ensuing on the importance of improving infrastructure first then stepping up enforcement to entice development. Commissioner Civiello concurred stating clean-up and improvements city-wide had increased tremendously. Vice President Briggs commented on the benefit and need to utilize existing buildings and gave examples of businesses in the Tower District that did so. Commission DiBuduo stated infill development would take the Mayor's and Council's leadership and stated his position was to preserve agricultural land.

Discussion ensued on Topic #5 with Commissioner DiBuduo stating the need was evident as staff was experiencing many problems with changes over time citing front yard fence standards. Discussion ensued on cost and a funding source with Development Director responding approximately \$150,000 would be required to update the zoning ordinance. Councilmember Ronquillo and Vice President Briggs stated commercial fencing restrictions

and uniformity and aesthetics were important.

Discussion ensued on Topic #6 with Commissioner Civiello stating his opposition to speed bumps and unwarranted stop signs stressing they were not a good approach to solving problems and added enforcement was the answer. Brief discussion ensued on the City's policy for installation. Commissioner Stone commented on the issue stating traffic signal synchronization was the answer, with Councilmember Quintero responding. Commissioner DiBuduo stated additional discussion on the issue was necessary on speed bumps for informational purposes relative to removing some of them and offered the PC's assistance.

UNSCHEDULED ORAL COMMUNICATIONS:

APPEARANCE BY GREG KILPATRICK, ON BEHALF OF GROWTH)
ALTERNATIVES ALLIANCE, REGARDING "LANDSCAPE OF CHOICE")

Mr. Kilpatrick stated the documents contained 27 strategies to attempt to address the growth issue and build strong and vibrant communities, and advised they would be submitting a resolution requesting endorsement of the principles of Landscape of Choice.

Councilmember Quintero commended Mr. Kilpatrick on the document and advised of problems he has encountered in trying to obtain assistance for his district. Mr. Kilpatrick and Jeff Harris, Building Industry Association, responded stating staff would have to undertake an inventory of infill development and then market them adding the private sector did not have the ability to do that. Commissioner DiBuduo and Councilmember Ronquillo commended the Alliance on their work and briefly commented.

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ADJOURNMENT)

There being no further business to bring before the Council, the hour of 7:57 p.m. having arrived and hearing no objections, President Mathys declared the meeting adjourned.

DATED this _____ day of _____, 1998.

Chris Mathys, President

ATTEST: Yolanda Salazar, Assistant City Clerk

132-121

9/15/98